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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/813,722	
	Filing Date	3/31/2004	
	First Named Inventor	Joshua D. Rabinowitz	
	Art Unit	Not yet known	
	Examiner Name	To be assigned	
Total Number of Pages in This Submission		Attorney Docket Number	00023.03CON

ENCLOSURES (check all that apply)		
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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C Stracker, Ph.D., J.D. Telephone (650)-687-3905	Customer Number 37485
Signature		
Date	SEP. 24 2004	

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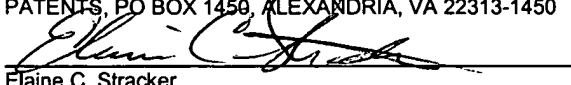
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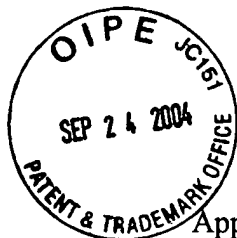
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PATENT  
Attorney's Docket No.: 00023.03CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.  
Serial No.: 10/813,722  
Filed: 3/31/2004  
Title DELIVERY OF MUSCLE RELAXANTS THROUGH AN  
INHALATION ROUTE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ 1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including any extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 502731**. Please direct all correspondence to the following customer number.

Respectfully submitted,

Date: SEP. 24 2004



Elaine C. Stracker J.D., Ph.D., Reg. 43,166

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Form PTO-1449

Docket Number: 0023.03CON

Application Number: 10/813,722

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 3/31/2004

Group Art Unit: Not Yet Known

SEP 24 2004

(Use several sheets if necessary)


**U.S. PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/02/1971	3,560,607	Hartley et al.			
	2.	10/19/1976	3,987,052	Hester, Jr.			
	3.	05/27/1980	Re. 30,285	Babington			
	4.	01/23/1990	4,895,719	Radhakrishnun et al.			
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	25.	02/04/2003	6,514,482	Bartus et al.			
	26.	07/15/2003	6,591,839	Meyer et al.			

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Docket Number: 0023.03CON

Application Number: 10/813,722

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 3/31/2004

Group Art Unit: Not Yet Known

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	37.	12/30/2003	10/749,537	Rabinowitz et al.			
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	55.	02/09/2004	10/775,586	Rabinowitz et al.			

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Docket Number: 0023.03CON

Application Number: 10/813,722

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 3/31/2004

Group Art Unit: Not Yet Known

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Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 3/31/2004

Group Art Unit: Not Yet Known

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	Applicant: Joshua D. RABINOWITZ et al.		
	Filing Date: 3/31/2004	Group Art Unit: Not Yet Known	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
							YES	NO
	113.	03/14/1990	EP 0 358 114	Europe				
	114.	07/03/2001	EP 1 080 720	Europe				
	115.	08/29/2001	EP 0 606 486	Europe				
	116.	04/11/1996	WO 96/09846	WIPO				
	117.	05/09/1996	WO 96/13161	WIPO				
	118.	05/09/1996	WO 96/13290	WIPO				
	119.	05/09/1996	WO 96/13291	WIPO				
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	121.	10/03/1996	WO 96/30068	WIPO				
	122.	08/07/1997	WO 97/27804	WIPO				
	123.	05/28/1998	WO 98/22170	WIPO				
	124.	07/23/1998	WO 98/31346	WIPO				
	125.	08/27/1998	WO 98/36651	WIPO				
	126.	04/08/1999	WO 99/16419	WIPO				
	127.	12/16/1999	WO 99/64094	WIPO				
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	129.	01/06/2000	WO 00/00215	WIPO				
	130.	05/18/2000	WO 00/27363	WIPO				
	131.	05/25/2000	WO 00/29053	WIPO				
	132.	09/17/2000	WO 00/47203	WIPO				
	133.	11/02/2000	WO 00/64940	WIPO				
	134.	11/09/2000	WO 00/66084	WIPO				
	135.	11/09/2000	WO 00/66206	WIPO				
	136.	12/21/2000	WO 00/76673	WIPO				
	137.	01/25/2001	WO 01/05459	WIPO				
	138.	05/10/2001	WO 01/32144	WIPO				
	139.	03/28/2002	WO 02/24158	WIPO				

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	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 3/31/2004	Group Art Unit: Not Yet Known

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*(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
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	142.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
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	145.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology.</i> 93(3): 619-628.
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	151.	Hurt, R.D., MD and Robertson, C.R., PhD, (October 1998). "Prying Open the Door to the Tobacco Industry's Secrets About Nicotine: The Minnesota Tobacco Trial," <i>JAMA</i> 280(13):1173-1181.
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	154.	Mattox, A.J. and Carroll, M.E., (1996). "Smoked heroin self-administration in rhesus monkeys," <i>Psychopharmacology</i> , 125:195-201.	
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	156.	Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120.	
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	163.	Ward, M.E. MD, et al. (December 1997). "Morphine Pharmacokinetics after Pulmonary Administration from a Novel Aerosol Delivery System," <i>Clinical Pharmacology &amp; Therapeutics</i> 62(6):596-609.	
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